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CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 4, 2008

Name: John C. Freeman

Signature: *John C. Freeman*

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Appln. of: Raymond I. Myers et al.

Appln. No.: 10/750,789

Filed: January 2, 2004

For: LENTICULAR REFRACTIVE SURGERY OF  
PRESBYOPIA, OTHER REFRACTIVE  
ERRORS, AND CATARACT RETARDATION

Docket No: 12212/39

Examiner: Shay, David M.

Art Unit: 3735

Conf. No.: 1486

TRANSMITTAL

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- ☒ Power of Attorney.  
☒ Return Receipt Postcard.

Fee Calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 CFR § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 105=			x \$210=	
First Presentation of Multiple Dep. Claim					+ \$185=			+ \$370=	
					Total	\$		Total	\$

Fee Payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ for \_\_\_\_\_.  
A copy of this Transmittal is enclosed for this purpose.  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

*John C. Freeman*

John C. Freeman, Esq. (Reg. No. 34,483)

August 4, 2008

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*[Signature]*

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Inventor(s): Raymond I. Myers and Ronald KruegerTitle: LENTICULAR REFRACTIVE SURGERY OF PRESBYOPIA, OTHER REFRACTIVE ERRORS, AND CATARACT RETARDATION**POWER OF ATTORNEY**

The specification of the above-identified patent application:

- ☐ is attached hereto  
☒ was filed on January 2, 2004 as application Serial No. 10/750,789

I hereby revoke all previously granted powers of attorney in the above-identified patent application and appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

John C. Freeman - 34,483  
 Glen P. Belvis - 31,735  
 Kent E. Genin - 37,834

PLEASE RECOGNIZE or change the CORRESPONDENCE ADDRESS for this application to the address associated with the following Customer Number:

Customer No.: 00757 - Brinks Hofer Gilson Lione

Brinks Hofer Gilson & Lione  
 P.O. Box 10395  
 Chicago, IL 60610  
 (312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

As required by 37 CFR 3.73(b)(1) and shown below, the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

Second Sight Laser Technologies, Inc., a corporation of the State of Missouri, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- ☐ An assignment from the inventor(s) of the patent application identified above, which is being recorded concurrently herewith pursuant to 37 CFR 3.11, a copy of which is attached hereto.  
 OR  
☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 015332, frames 0366-0368.  
 OR  
☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:
1. From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.
  2. From \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, frame \_\_\_\_\_, or a copy thereof is attached.
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Raymond I. Myers

Date:

7/25/08

Name:

Raymond I. Myers

Title:

President, Second Sight Laser Technologies